

## TEMPORARY EASEMENT FOR CONSTRUCTION

KNOW ALL BY THESE PRESENTS:

That Jaxwil Enterprise, Inc. (hereinafter called "Grantor") in consideration of the sum of \$ 1.00 and other valuable consideration in hand paid by the City of Ankeny, Iowa upon final approval and acceptance of this easement do hereby convey unto the City of Ankeny, Iowa, a municipal corporation, in the County of Polk, State of Iowa, a temporary easement across the following described real estate:

See Attached Acquisition Plat AP4

That said easement is granted unto the City of Ankeny, Iowa, for the purpose of the construction, installation and maintenance of the following described public improvement:

2010 South Ankeny Blvd. Feeder Main

In connection herewith it is specifically agreed that by this easement, the City of Ankeny shall have the right to enter upon said premises as shall be necessary to construct, reconstruct, inspect, repair, operate and maintain and service any and all of said improvements and all appurtenances thereto, together with the right to use and operate said improvements as it deems necessary.

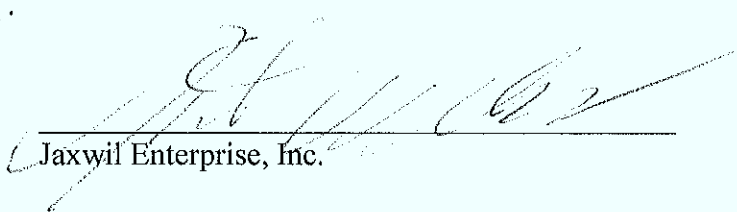
The said municipal corporation shall restore said described land to a satisfactory condition after construction and/or maintenance in substantially the same condition as prior to entry.

It is further agreed that no permanent improvement shall be built or placed upon the above described easement, and that if such improvements are built or constructed, in violation of this easement, the City of Ankeny shall in no way be responsible for any damages thereto resulting from the construction, reconstruction, maintenance or repair of the aforesaid improvements.

That the grantors do hereby covenant with said grantee, and successors in interest, that said grantors hold said real estate by title and fee simple; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever except as may be hereinabove stated; that said grantors covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

IN WITNESS WHEREOF WE have hereunto affixed our hands this 12 day of

May, 20 10.

  
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Jaxwil Enterprise, Inc.

STATE OF IOWA :  
: SS.  
COUNTY OF POLK :

On the 12 day of 5, 20 10, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jack Wilhelm to me known to be the person(s) named in and who executed the foregoing instrument on behalf of the trust, and acknowledged that he/she/they executed the same as a voluntary act and deed.

Denise Roberts  
Notary in and for the State of Iowa

